



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
 Guyton P. Swindell et al. )  
 Serial No. 10/607,646 )  
 Filed June 27, 2003 ) Group Art Unit 3726  
 Confirmation No. 2684 ) Docket No. 02-1868 / 370021-00026  
 For Apparatus and Method for Taut Sheath )  
 Splicing of All-Dielectric, Self-Supporting )  
 Fiber Optic Cable )

**PETITION UNDER 37 CFR § 1.181  
 TO WAIVE FOUR-MONTH EXTENSION OF TIME FEE**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 16, 2004.

*Tracey D. Beiriger*  
 Tracey D. Beiriger, Esq.  
 Date of Signature: March 16, 2004

**Mail Stop Petition  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450**

Dear Sir:

Applicant hereby petitions under 37 CFR § 1.181 to waive the four-month extension of time fee for replying to the Notice to File Missing Parts of Nonprovisional Application dated September 25, 2003 since we did not receive the Notice to File Missing Parts until they were faxed to us upon our inquiry on March 10, 2004. The facts are as follows:

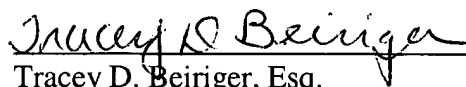
- 1) The above-identified patent application was filed on June 27, 2003.
- 2) The return postcard from the Patent Office was received indicating the above filing date along with the Serial No. of 10/607,646.

- 3) The inventors executed the Declaration for Patent Application form on August 8, 2003. The form was put into the file jacket awaiting receipt from the Patent Office of the Notice to File Missing Parts.
- 4) However, the Notice to File Missing Parts and the Filing Receipt was not received. On February 19, 2004, my administrative assistant, Marie Kacin, realized that we still had the executed forms waiting to be sent in. She checked the file jacket and also the docket report (copy enclosed) to see if the forms were received. She immediately left a voice mail at the Patent Office Pending Applications Branch (ph. 703-305-1801) inquiring as to the whereabouts of the Notice to Filing Missing Parts and the Filing Receipt. No return telephone call was made by the Patent Office.
- 5) On March 1<sup>st</sup>, Ms. Kacin called the Patent Office Application Branch (ph. 703-308-1202). A gentleman she talked to said that the forms were mailed out on September 25, 2003. He said he would fax a copy of the Filing Receipt and Notice to File Missing Parts to her. No facsimile was received.
- 6) On March 10<sup>th</sup>, Ms. Kacin again telephoned the Application Branch, and Ms. Stokes sent a facsimile of the Filing Receipt and Notice to File Missing Parts.
- 7) The Notice to File Missing Parts not only was requesting submittal of the executed Declaration, but it also requested a substitute specification and replacement drawings (copy of the Notice enclosed).
- 8) The specification and drawings that were submitted with the filing of the patent application were in good condition. The copies of the specification and drawings enclosed are identical to those sent in with the filing of the application. If there was a problem with the specification and claims after it was received by the Patent Office that took it out of its normal processing course, possibly the Filing Receipt and Notice to File Missing Parts were never mailed.
- 9) In light of all of the circumstances, we are requesting that the \$1,480.00 four-month extension of time fee be waived for this patent application.
- 10) Applicant submits herewith the Transmittal Letter, the executed Declaration for Patent Application, a four-month Petition for Extension of Time, along with a Credit Card Payment form, a signed Declaration from Marie Kacin, a copy of the Notice to

File Missing Parts of Nonprovisional Application, a substitute specification and replacement drawings, and a copy of our docket report showing that the Notice to File Missing Parts was not received.

This petition is submitted in duplicate.

Respectfully submitted,



Tracey D. Beiriger, Esq.

Reg. No. 37402

Attorney for Applicants

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PATENT TRADEMARK OFFICE

## (Docket Report)

3/11/2004

## Patent Information Print

Matter ID	IP2002001868	Application Dt	6/27/2003
Country	United States	Patent No	
Case Type	Regular	Grant Dt	
Relation Type	Original Filing	Publication #	
Filing Type	National	Publication Dt	
Sequence No.		Expiration Dt	
Lead Attorney	Tracey D. Beiriger	Foreign File Type	
Outside Counsel	Pietragallo Bosick & Gordon	Tax Base Dt	
Primary BU	370021 AFL--Spartanburg SC	Next Tax Dt	
Assignee		Peer Attorney	
Previous Attorney		Co-Assignee 2	
ESCM #	IP2002001868	Co-Assignee 3	
Status	Filed	Outside Counsel #	54265
First Filing Dt	6/27/2003	Old Alcoa Class 1	
Sub Stat		Old Alcoa Class 2	
Sub Stat Dt		Expir. Date	
Parent Country		Verified	N
Parent Filing Dt		Customer	ALPP
Parent No		Create Dt	6/27/2003
Parent Grant Dt		Update Dt	3/11/2004
Total Claims		Update Tm	1423
Ind. Claims		Update User	NLB
Application #	10/607,646	Update Type	



## \*\*Actions\*\*

Action	Postcard Check	Comp Dt	6/27/2003
Act Due Date	7/27/2003	Responsible Atty	
Mailed Dt		Outside Counsel	
DeadLn Dt			
Action	Filing Receipt Check	Comp Dt	
Act Due Date	9/27/2003	Responsible Atty	
Mailed Dt		Outside Counsel	
DeadLn Dt			
Action	Foreign Filing--6 Mo. Remind	Comp Dt	
Act Due Date	12/27/2003	Responsible Atty	
Mailed Dt		Outside Counsel	
DeadLn Dt			
Action	Foreign Filing--9 Mo. Remind	Comp Dt	
Act Due Date	3/27/2004	Responsible Atty	
Mailed Dt		Outside Counsel	
DeadLn Dt			
Action	Foreign Filing--11 Mo. Remin	Comp Dt	
Act Due Date	5/27/2004	Responsible Atty	
Mailed Dt		Outside Counsel	
DeadLn Dt			
Action	Foreign Filing Deadline	Comp Dt	
Act Due Date	6/27/2004	Responsible Atty	
Mailed Dt		Outside Counsel	
DeadLn Dt			
Action	First Office Action Status	Comp Dt	
Act Due Date	6/27/2004	Responsible Atty	
Mailed Dt		Outside Counsel	
DeadLn Dt			
Action	Published	Comp Dt	
Act Due Date	12/27/2004	Responsible Atty	
Mailed Dt		Outside Counsel	
DeadLn Dt			
Action	Application Mailed	Comp Dt	6/27/2003
Act Due Date		Responsible Atty	
Mailed Dt	6/27/2003	Outside Counsel	
DeadLn Dt			
Action	IDS Filed	Comp Dt	11/10/2003
Act Due Date		Responsible Atty	
Mailed Dt	11/6/2003	Outside Counsel	
DeadLn Dt			

## \*\*Business Unit\*\*

Business Unit	370021 AFL--Spartanburg SC	Authorizer 1	Boxer
Percent	100	Authorizer 2	

\*\*Inventors\*\*

Inventor	Swindell, Guyton P.	Date IR Signed	
Location	Alcoa Fujikura	ATC Y/N	No
Inventor	Duke, Douglas M.	Date IR Signed	
Location	Alcoa Fujikura	ATC Y/N	No
Inventor	Boxer, Mark A.	Date IR Signed	
Location	Alcoa Fujikura	ATC Y/N	No

\*\*Title\*\*

Title  
Apparatus and Method for Taut Sheath Splicing of All-Dielectric, Self-Supporting Fiber Optic Cable

\*\*Comments\*\*

Txt Type	Comment
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Text	Pietragallo No. 54265
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Txt Type	Job Description
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Text	Taut Sheath Splicing of ADSS Cable - Swindell et al
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\*\*Origination\*\*

Origination	Spartanburg, SC	ATC Y/N	N
Sole/Joint	Sole		